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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/610,489	06/30/2003	Michael Lester Kerns	MLK-1-A	5407

7590 03/10/2004

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EXAMINER	
MANCHO, RONNIE M	

ART UNIT	PAPER NUMBER
3663	

DATE MAILED: 03/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/610,489	KERNS, MICHAEL LESTER	
	Examiner	Art Unit	
	Ronnie Mancho	3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6/30/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

Appropriate correction is required.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Method and system for providing narrative information to a traveler. The proposed title reflects on the method and apparatus claims in the invention.

Claim Objections

3. Claim 13 objected to because of the following informalities:

In claim 13, line 3, the examiner suggests that "the database" be changed to --a database-- for clarity.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-14, 17, 18, 21, 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Wako (6484094).

Regarding claim 1, Wako (figs. 1B to figs.3) discloses a method of communicating narrative information (i.e. distance and direction, col. 4, lines 14-19; also see applicant's specification, page 5, lines 24-27) to a traveler moving through a geographic region(col. 1, lines 15-37), said method comprising:

(1) associating each of a plurality of narrations (i.e. distance and direction, name, address, phone number, etc col. 4, lines 14-19; also see applicant's specification, page 5, lines 24-27) with each of a plurality of locations (destinations, such as Japanese restaurants; col. 4, lines 3-10, lines 31-42) within the geographic region, wherein each of the plurality of narrations (distance and direction, col. 4, lines 14-19) relate to each of a plurality of points of interest (col. 4, lines 3-10, lines 31-42) within the geographic region;

(2) associating each of a plurality of alerts (i.e. distance and direction, name, address, phone number, etc col. 4, lines 14-19; also see applicant's specification, page 5, lines 24-27) with each of the plurality of locations (destinations, such as Japanese restaurants; col. 4, lines 3-10, lines 31-42) within the geographic region;

(3) communicating alerts (i.e. distance, direction, name, address, phone number, etc col. 4, lines 14-19; figs. 1B, 3G; also see applicant's specification, page 5, lines 24-27) to the traveler as the traveler freely moves throughout the geographic region, wherein the alerts are communicated when the traveler moves (fig. 1B, col. 2, lines 16-38) within a specified proximity (see distance from current vehicle position specified by driver choosing the sort by distance option; col. 4, lines 3-10; fog. 3E, fig. 1B) to the locations associated with the alerts, and wherein the alerts (i.e. distance, direction, name, address, phone number, etc col. 4, lines 14-19; figs. 1B, 3G; also see applicant's specification, page 5, lines 24-27) advise the traveler with respect to the general nature (i.e. distance, direction, name, address, phone number, etc col. 4, lines 14-19) of the point of interest associated with the location;

(4) providing the traveler with the option of obtaining directions (fig. 1B; col. 4, lines 20-31; col. 2, lines 15-38) to the location associated with the point of interest; and

(5) providing the traveler with the option of hearing (i.e. by voice; col. 2, lines 28-34) the narration associated with the point of interest associated with the location.

Regarding claim 2, Wako discloses the method as specified in claim 1, wherein the specified proximity to the locations associated with the alerts is provided by the traveler (see sort by distance; col. 4, lines 3-10; col. 3, lines 61-65. Note that the user selects the sort by distance option before the alerts such as distance from the vehicle position, etc are communicated to the user through the user's system).

Regarding claim 3, Wako discloses the method as specified in claim 1, wherein the method further comprises showing the traveler the direction to specific points of interest within the geographic region.

3G; also see applicant's specification, page 5, lines 24-27) advise the traveler with respect to the general nature (i.e. distance, direction, name, address, phone number, etc col. 4, lines 14-19) of the point of interest associated with the location;

a means for providing the traveler with the option of obtaining directions (fig. 1B; col. 4, lines 20-31; col. 2, lines 15-38) to the location associated with the point of interest; and

a means for providing the traveler with the option of hearing (i.e. by voice; col. 2, lines 28-34) the narration associated with the point of interest associated with the location.

Regarding claim 6, Wako (figs. 1B to figs.3) discloses the navigation system as specified in claim 5 wherein the position determining device is a global positioning system (GPS; col. 1, lines 25-37);

Regarding claim 7, Wako (figs. 1B to figs.3) discloses the method as specified in claim 1 wherein said alerts and said narrations are free of commercial advertisements (Note that Wako did not mention any adds, therefore his system does not include adds).

Regarding claim 8, Wako (figs. 1B to figs.3) discloses the method as specified in claim 4 wherein the points of interest are organized from closest to furthest from the location of the traveler (col. 4, lines 3-6).

Regarding claim 9, Wako (figs. 1B to figs.3) discloses the method as specified in claim 1 which further comprises identifying a point of interest based upon its bearing (col. 1, lines 25-28. Note that the bearing of any direction in which the vehicle points is provided to the driver; col. 4, lines 16-20) to the location of the traveler.

Regarding claim 10, Wako (figs. 1B to figs.3) discloses the method as specified in claim 9 wherein the bearing of the point of interest to the traveler is inputted to determine the identity of the point of interest.

Regarding claim 11, Wako (figs. 1B to figs.3) discloses the method as specified in claim 10 wherein the bearing of the point of interest to the traveler is inputted by pointing a navigation unit at the point of interest (i.e. as understood in the art, as the vehicle turns, the bearing sensor senses the bearing of the car and the results are inputted on the display).

Regarding claim 12, Wako (figs. 1B to figs.3) discloses the method as specified in claim 9 which further comprises providing the traveler with the option of hearing the narration associated with the identified point of interest.

Regarding claim 13, Wako (fig. 1B) discloses the method as specified in claim 3 which further provides a narrative description of sub-points of interest (sub point of interest are regions close to the destination or point of interest the user is visiting, wherein a description of the sub point of interest is given to the driver as the driver approaches the destination or point of interest. See for example, prairie avenue, next turn, intersection, etc; fig. 1 which is about 0.8 miles from the user position and is a few miles from the main point of interest; col. see fig. 1B), wherein the sub-points of interest (such as intersection, col. 1, lines 55 to col. 2, lines 1-3) have alerts which are activated by coming within a radius of proximity which is preset in a database (col. 1, lines 15-24, lines 55 to col. 2, lines 1-3) rather than being user defined (as indicated in the specification page 14, the examiner understands that sub points of interest are areas near destination or point of interest toward which the user is heading to, which sub point of interest is stored in a data base and is not defined by the user).

Regarding claim 14, Wako discloses the method as specified in claim 13 wherein the radius of proximity is less than about 500 yards (*within* a predetermined distance such as 0.8 miles implies less than 500 yards; fig. 1B; col. 1, lines 55 to col. 2, lines 1-3).

Regarding claim 17, Wako (figs. 3F&G) discloses the method as specified in claim 1 wherein the traveler modifies (see figs. 3A-3G where a user can cancel already selected locations by going back to a previous screen and modifying a selection, see for example going backwards using the cancel arrow from screen 3G to 3f to 3E, etc and modifying the selection as desired on the drop down menu) the locations within the geographic region which are associated with alerts.

Regarding claim 18, Wako discloses the method as specified in claim 17 wherein the traveler modifies the locations (see figs. 3A-3G where a user can cancel already selected locations by going back to a previous screen and modifying a selection, see for example going backwards using the cancel arrow from screen 3G to 3f to 3E, etc and modifying the selection as desired on the drop down menu) within the geographic region which are associated with alerts on the basis of the categorization of the points of interest associated with the locations.

Regarding claim 21, Wako discloses the method as specified in claim 1 wherein multiple locations are associated with a single point of interest (i.e. two restaurants with the same name "single point of interest" located at different places "multiple locations"; col. 4, lines 7-10)

Regarding claim 22, Wako discloses the method as specified in claim 1 wherein only one alert is communicated to the traveler within a predetermined unit of time in the case of alerts that are associated with a single point of interest that is associated with multiple locations (col. 4, lines 7-19. That is, when restaurants having the same name are located at different distances from the vehicle or user, the user will select one of the restaurants and an alert "i.e. distance,

direction, phone number, time to reach, name, etc" associated with that particular selected restaurant will be communicated to the user).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 15, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wako in view of Chowdhary (6282496)

Regarding claim 15, Wako discloses the method as specified in claim 10 wherein the bearing of the point of interest to the traveler is inputted by pointing a directional indicator (fig. 1B, i.e. as the user or vehicle turns or points in any direction, the bearing sensor "col. 1, lines 25-29" inputs -on the screen or display- the bearing of the vehicle relative to any direction to which the vehicle is pointing) at the point of interest. On the other hand Wako did not mention a magnetic compass. However, Chowdhary teaches of a vehicle navigation system wherein the directional indicator includes a magnetic compass 216 (col. 8, lines 16-18), wherein the direction indicator gives a bearing of the vehicle relative to any direction the vehicle is pointing at.

Therefore, it would have been obvious to one of ordinary skill in the art of navigation to modify the Wako device as taught by Chowdhary (abstract) for the purpose of removing errors in heading or bearing determination during vehicle guidance.

Regarding claim 16, Wako discloses the method as specified in claim 9 wherein the bearing of the point of interest relative to the location of the traveler is determined (fig. 1B, i.e. as the user or vehicle turns or points in any direction, the bearing sensor "col. 1, lines 25-29" inputs -on the screen or display- the bearing of the vehicle relative to any direction to which the vehicle is pointing). On the other hand Wako did not mention a magnetic compass. However, Chowdhary teaches of a vehicle navigation system wherein the directional indicator includes a magnetic compass 216 (col. 8, lines 16-18), wherein the direction indicator gives a bearing of the vehicle relative to any direction to which the vehicle is pointing.

Therefore, it would have been obvious to one of ordinary skill in the art of navigation to modify the Wako device as taught by Chowdhary (abstract) for the purpose of removing errors in heading or bearing determination during vehicle guidance.

8. Claims 19, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wako in view of Delorme et al (US 2003/0182052).

Regarding claim 19, Wako discloses the method as specified in claim 1, but did not mention video. However, DeLorme et al teach (abstract; sections 0002, 0048, 0049, 0096) of a navigation method wherein a traveler is further provided with an option of seeing a video message, which further describes a point of interest.

Therefore, it would have been obvious to one of ordinary skill in the art of navigation to modify the Wako device as taught by DeLorme for the purpose of integrating navigation information with video..

Regarding claim 20, Wako discloses the method as specified in claim 19, but did not mention video. However, DeLorme et al teach (abstract; sections 0002, 0048, 0049, 0096) of a navigation method wherein a video message is a motion picture.

Therefore, it would have been obvious to one of ordinary skill in the art of navigation to modify the Wako device as taught by DeLorme for the purpose of integrating navigation information with video.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following: 5627547, 6374180, 6542814, 2003/0036848, and 6587787 all disclose navigation.

Communication

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 703-305-6318. The examiner can normally be reached on Mon-Thurs; 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Black can be reached on 703-305-9707. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronnie Mancho
Examiner
Art Unit 3663

Feb. 28, 2004